

STANDING CHAPTER 13 TRUSTEE ALFONSO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

JOSE MANUEL ROSARIO MARRERO

Case No. 13-09001-BKT

Chapter 13

Attorney Name: JUAN O CALDERON LITHGOW\*

<b>I. Appearances</b> Debtor <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> Joint Debtor <span style="margin-left: 40px;"><input type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> Attorney for Debtor <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> <input type="checkbox"/> <b>Prose</b> <input type="checkbox"/> <b>Appearing:</b>	<b>Date &amp; Time:</b> 12/4/2013 10:54:00AM <input checked="" type="checkbox"/> R <span style="margin-left: 40px;"><input type="checkbox"/> NR</span> <span style="margin-left: 40px;">LV: t.b.d.</span> <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. <b>Creditors:</b> <div style="border: 1px solid black; height: 100px; margin-top: 5px; padding: 5px;"> <u>None</u> </div>
<b>II. Oath Administered</b> <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Yes</span> <span style="margin-left: 40px;"><input type="checkbox"/> No</span>	
<b>III. Plan</b> <b>Date:</b> 10/30/2013 <span style="margin-left: 40px;"><b>Base:</b> \$16,800.00</span> <span style="margin-left: 40px;"><b>Payments</b> 0 made out of 1 due.</span> <b>Confirmation Hearing Date:</b> 1/10/2014 2:30:00PM <b>Evidence of Pmt shown:</b>	
<b>Attorney's fees as per R. 2016(b)</b> <div style="margin-top: 10px;"> \$3,000.00 - \$400.00 = \$2,600.00 </div>	
<b>IV. Status of Meeting</b> <input checked="" type="checkbox"/> Closed <span style="margin-left: 40px;"><input type="checkbox"/> Not Held</span> <span style="margin-left: 40px;"><input type="checkbox"/> Held/Continued</span> <input type="checkbox"/> Held/Not Closed  <input type="checkbox"/> Continued <b>Continued Date:</b> <b>Comments:</b>	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

☒ Feasibility  
☒ Insufficiently funded  
☐ Unfair discrimination  
☒ Fails disposable income  
☐ Fails liquidation value test  
☐ Insuarence quote

☐ No provision for secured creditor(s)  
  
☒ Tax returns missing  
    ☒ State - years 2009-2010  
  
    ☐ Federal - years

Pending/Items/ Documents:

☒ DSO Recipient's Information  
  
☒ Evidence of being current with DSO  
  
☐ Evidence of income

☐ Monthly reports for the months  
  
☐ Public Liability Insurance  
    ☐ Premises  
    ☐ Vehicle(s):  
    ☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

Counsel believes that even when a truck is added to the schedules there will be a zero liquidation value. We have to wait and see. Debtor showed evidence that he filed 2011 and 2012 state tax returns. As to 2009 and 2010 he showed the returns but they are not stamped as filed. He also showed evidence that he filed 1040PR for 2009 thru 2012.

1. DSO Recipient's information and evidence of DSO post-petition payments has not been provided.
2. Schedule "I" does not disclose debtor's occupation, also, employer information is not listed.
3. Plan is insufficiently funded to pay priorities (IRS). Claim 3-1 was filed with a higher amount of priority than the amount listed in Schedule "E".
4. Debtor lives with two minors of 6 and 8 years old, Schedule "J" does not list any school expenses.
5. Debtor to justify why he include in Schedule "J" an expense for IRS of \$150.00; while Schedule "I" has a payroll deduction for social security.
6. Provide maturity date of loan with Oriental Bank. If loan matures during the life of plan debtor should provide a step-up payment of \$468.00.

States that first payment is in the mail.

The following party(ies) object(s) confirmation:

s/Alejandro Oliveras

Date: 12/04/2013

Trustee/Presiding Officer

(Rev. 05/13)